

1 Hon. Charles A. Legge (Ret.)
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7 Special Master

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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 IN RE: CATHODE RAY TUBE (CRT)
15 ANTITRUST LITIGATION

Master File No. 3:07-cv-05944-SC
MDL No. 1917

16 This Document Relates to:
17
Electrograph Systems, Inc., et al. v. Hitachi,
18 *Ltd., et al.*, No. 11-cv-01656;
19
Alfred H. Siegel, as Trustee of the Circuit
City Stores, Inc. Liquidating Trust v.
20 *Hitachi, Ltd., et al.*, No. 11-cv-05502;
21
Best Buy Co., Inc., et al. v. Hitachi, Ltd., et
22 *al.*, No. 11-cv-05513;
23
Target Corp, et al. v. Chunghwa Picture
24 *Tubes, Ltd., et al.*, No. 11-cv-05514;
25
Interbond Corporation of America v.
26 *Hitachi, et al.*, No. 11-cv-06275;
27
Office Depot, Inc. v. Hitachi Ltd., et al., No.
28 11-cv-06276;
29
CompuCom Systems, Inc. v. Hitachi, Ltd., et
30 *al.*, No. 11-cv-06396;

**[PROPOSED] REPORT AND
RECOMMENDATION RE: DIRECT
ACTION PLAINTIFFS' MOTION FOR
LEAVE TO FILE AMENDED
COMPLAINTS**

1
2 *Costco Wholesale Corporation v. Hitachi,*
3 *Ltd., et al., No. 11-cv-06397;*
4 *P.C. Richard & Son Long Island Corp., et*
5 *al., v. Hitachi, Ltd., et al., No. 12-cv-02648;*
6 *Schultze Agency Services, LLC, et al. v.*
7 *Hitachi, Ltd., et al., No. 12-cv-02649.*

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27 [PROPOSED] REPORT AND RECOMMENDATION RE: DIRECT ACTION
28 PLAINTIFFS' MOTION FOR LEAVE TO FILE AMENDED COMPLAINTS
Case No. 3:07-05944-SC
MDL No. 1917

1 To the Honorable Samuel Conti, United States District Judge:

2 This matter came before the Special Master on the Direct Action Plaintiffs' ("Plaintiffs")
 3 Motion for Leave to File Amended Complaints. Having carefully considered the briefs and other
 4 submissions of Plaintiffs and Defendants, as well as oral arguments by counsel at the hearing, the
 5 Special Master makes the following findings and recommendations:

6 1. Given that the Ninth Circuit grants motions for leave to amend with "extreme
 7 liberality" (*Eminence Capital, LLC v. Aspeon, Inc.*, 316 F.3d 1048, 1051 (9th Cir. 2003), and
 8 because Defendants will not suffer any undue prejudice, the Special Master recommends that the
 9 Court grant Plaintiffs' motion for leave to amend the complaint to add the following new
 10 defendants: Technicolor SA (f/k/a Thomson SA); Technicolor USA, Inc. (f/k/a Thomson
 11 Consumer Electronics, Inc.); Mitsubishi Electric Corp.; Mitsubishi Digital Electronics America,
 12 Inc.; and Mitsubishi Electric & Electronics, USA, Inc. (and, in the case of Plaintiff Costco
 13 Wholesale Corp., to add as defendants Samsung SDI Co., Ltd.; Samsung SDI America, Inc.;
 14 Samsung SDI Mexico S.A. de C.V.; Samsung SDI Brasil Ltda.; Shenzhen Samsung SDI Co.,
 15 Ltd.; Tianjin Samsung SDI Co., Ltd.; and Samsung SDI (Malaysia) Sdn. Bhd.); to add as a non-
 16 party co-conspirator Videocon Industries, Ltd. (and, in the case of Costco Wholesale Corp., to
 17 add as non-party co-conspirators Panasonic Corp.; Panasonic Corp. of North America; MT
 18 Picture Display Co., Ltd.; Matsushita Electronic Corp. (Malaysia) Sdn Bhd.; and Panasonic
 19 Consumer Electronics Co.); and to assert additional, perfunctory allegations relevant to *American
 20 Pipe*, Cross-Jurisdictional, and Government Action Tolling.

21 2. Plaintiffs are directed to file their amended complaints, copies of which are
 22 attached hereto as Exhibits A-K, within one week of the date of this order.

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[PROPOSED] REPORT AND RECOMMENDATION RE: DIRECT ACTION
 PLAINTIFFS' MOTION FOR LEAVE TO FILE AMENDED COMPLAINTS
 Case No. 3:07-05944-SC
 MDL No. 1917

1 DATED: _____

2 Hon. Charles A. Legge
3 United States District Judge (Ret.)
Special Master

4 The Report and Recommendations are Accepted and Ordered / Denied / Modified.

5 DATED: _____

6 Hon. Samuel Conti
United States District Judge

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